

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSE ALFREDO SOTO, No. CIV-S-04-2122 MCE/PAN P

Petitioner,

v.

ORDER

D. ADAMS,

Respondent.

/

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

On April 13, 2005, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within twenty days.

///

1 Neither party has filed objections to the findings and
2 recommendations.

3 The court has reviewed the file and finds the findings and
4 recommendations to be supported by the record and by the
5 magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED
6 that:

7 1. The findings and recommendations filed April 13, 2005,
8 are adopted in full;

9 2. Respondent's December 16, 2004, motion is denied;

10 3. Petitioner is permitted 60 days to file an amended
11 petition containing only his exhausted claims and a motion to
12 stay this action and hold it in abeyance while he exhausts his
13 other claims.

14 DATE: June 2, 2005

15
16 
17 MORRISON C. ENGLAND, JR.
18 UNITED STATES DISTRICT JUDGE
19
20
21
22
23
24
25
26